

A COMMUNITY WORK ORDER DEFINED

Community work is, first and foremost, a means of dealing with the non-violent offender in his own community. A judge may decide that the person appearing before him for sentencing will benefit more by performing some direct or indirect service to his community rather than receiving another form of sentence.

The work must be meaningful to both the offender and the recipient. Possibly one of the greatest benefits of community work to the offender is that it concentrates on his abilities and skills rather than on his problems.

At the present time the court has the authority to stipulate that an offender must agree to the carrying out of a community work order. However, it is anticipated that, once such a sentence is encompassed by the Criminal Code, the courts will be required to obtain the offender's agreement before the order is issued.

The offender does not necessarily come into contact with his victim. As an alternative sentence to either imprisonment or a regular probation order, a community work order may stipulate any one of a number of alternatives. An order may have no bearing on the crime, giving the offender a general social-service type of activity to accomplish which is of tangible benefit to the community. Working with the handicapped, coaching a sports team, or cutting grass for an elderly person are such possible activities.

On the other hand, those committing acts of vandalism may find themselves cleaning up and repairing the damage they have caused, or an offender may find himself working with the Humane Society.

In this way offenders are encouraged to use and to develop skills and abilities that benefit the community and which the community can actually see being used for the common good. Work orders will be carried out in the offender's leisure time, giving him the opportunity to learn how to use that time in a positive way.

None of the work undertaken through such an order will displace members of the community from paid employment.

THE BACKGROUND

A judge in the Province of Ontario most frequently uses three basic options in the sentencing of an offender - imprisonment, a fine, or a term of probation.

Imprisonment is often seen as not appropriate or too severe a punishment for certain types of crimes, and the costs to the taxpayer have become prohibitive.

Fines do not affect all people equally. For those with substantial incomes, fines may have little more than nuisance value, yet the same monetary penalty might cause real hardship to a person of limited means.

Probation, which has long been the mainstay of community corrections, offers the offender the chance to abide by the accepted rules of society without the stigma of 'going to jail.' The individual on probation may receive assistance with his education, with his home situation, in his relationships with his peers, or perhaps in finding a job or training for a career.

Probation orders, however, have usually required the offender to repay society for his antisocial behavior, either in terms of loss of freedom or through restitution (usually financial) or community work.

In Ontario, community work orders are presently issued as a term of probation orders. A judge may, after having satisfied himself of the suitability of the offender for such a program and the existence of appropriate work, stipulate that he will spend a specified number of hours working to the benefit of the community.

The types of activities in which offenders may be ordered to participate are those tasks which would generally not be performed at all unless by volunteers.

In addition to providing a framework within which many offenders who would have been incarcerated will be able to repay the community in a positive fashion for the harm they have done, a work order offers financial benefits to the community.

The estimated cost of supervising an offender on a community work order is \$2.35 per day, whereas the average cost of maintaining an offender in a correctional institution is in excess of \$41.00 per day.

DEVELOPMENT OF THE COMMUNITY WORK ORDER PROGRAM

Since the mid 1970's, judges in Ontario courts have gradually begun to issue community work orders as a condition of a probation order. However, in October 1977 seven pilot projects were announced which it is anticipated will greatly increase the use of community work orders in seven designated areas.

These seven areas provide a variety of operational models in both rural and urban settings and will be the subject of an ongoing evaluation to determine the viability of expanding the program across the province.

Social agencies and volunteers involved in corrections have indicated a strong support of such orders and, consequently, many of the pilot programs will be operated by private agencies with Ministry funding.

The following are the designated areas:

Belleville	—The Quinte Community-oriented Sentencing Committee
Oshawa/Ajax	—Probation/Parole Services (local office), Ministry of Correctional Services
Peterborough	—The Peterborough Volunteer Bureau jointly with the Probation/Parole Services (local office), Ministry of Correctional Services
Scarborough	—The John Howard Society of Metropolitan Toronto jointly with the Probation/Parole Services (local office), Ministry of Correctional Services
Thunder Bay	—The John Howard Society
Windsor	—The St. Leonard's Society
Native Indian Project	—One project is being held open for operation by a Native organization

ACTIVITIES SUITABLE FOR COMMUNITY WORK ORDERS

At the present time it is anticipated that community work orders will be carried out in

the offender's leisure time. The following activities are all possibilities in that category:

- Assistance to the elderly and the handicapped through such programs as meals-on-wheels, or individual help with grass cutting, snow shoveling, window washing and other general chores.
- A variety of other activities would include placement with local community agencies such as the YMCA, the Red Cross, associations for the mentally retarded, the Humane Society, and so on.
- Cleaning up vandalism in public parks, recreation areas, stores, private homes, etc.
- Group activities may include pollution clean-up of parks and other public property.

RESPONSIBILITIES OF THE OFFENDER

Community work orders will be on work projects that are of tangible benefit to the community and meet a community need.

Accepting the responsibility for another's needs is expected to help the offender to realize his own strengths and abilities and to gain in self-assurance.

Thus far, a number of offenders have continued as volunteers in their work order placement after the terms of the order were satisfied.

Failure to complete an assignment is considered a breach of probation and in some cases may result in the offender's return to court for further disposition of the case.

For further information on this program contact:

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Community Work Order

